

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

May 13, 2002

4:30 PM

Chairman Gatsas called the meeting to order.

The Clerk called the roll.

Present: Aldermen Gatsas, Guinta, Osborne, Forest, O'Neil

Messrs: C. Morgan, R. Ludwig, Lt. Lussier

Chairman Gatsas addressed Item 3 of the agenda:

Communication from Chris Morgan requesting an appeal of the denial of a Business License Application – Entertainment Place of Assembly.

Alderman Forest moved the item for discussion. Alderman O'Neil duly seconded the motion.

Chairman Gatsas asked Mr. Chris Morgan to come forward and asked that he give his name for the record. Let me ask you the obvious question. Why wouldn't you want to go to Singer Park with this?

Mr. Morgan replied I feel that Veteran's Park is a more suitable place for it. It is a 2,000 or 3,000 capacity venue and it will be better suited at Veteran's Park. Singer Park is too big, I believe, for this show.

Chairman Gatsas asked what about Arms Park.

Mr. Morgan answered Arms Park might work. I didn't really think about Arms Park to be honest with you.

Chairman Gatsas asked is there a difference in cost between Veteran's Park and Singer Park.

Mr. Morgan answered no there is really not much of a cost difference. It is still the same expenses. Ours are still the same costs. Really it is just a capacity issue and the artist would really prefer to be in a venue that is suitable to his fans so he is not in a place where the capacity is larger than who he is playing to.

Alderman Forest asked is there going to be alcohol sold at your concerts.

Mr. Morgan answered at this particular concert we are going to pursue that avenue, yes.

Alderman Forest replied I don't know if we have ever allowed alcohol at Veteran's Park. That is one of the problems also.

Mr. Morgan responded they used to have concerts back in the 1980's and I don't know the answer to that question right now. We are going to pursue that.

Alderman O'Neil asked do you intend to do more than one concert. Are you going to be requesting the City to do more than one concert there?

Mr. Morgan answered no not this year. This is the only concert that I am requesting.

Alderman O'Neil asked how about at other sites in the City.

Mr. Morgan answered not right now.

Alderman O'Neil asked is the answer yes or no.

Mr. Morgan asked what is the question again.

Alderman O'Neil replied that you will be requesting licenses from the City to do concerts at either this venue or another venue.

Mr. Morgan responded as of today the answer is that I will not be looking to do any concerts at any other sites.

Chairman Gatsas called Mr. Ludwig forward to shed some light on why he refused or denied the application. I guess going back to the general question that Alderman Forest had in regards to whether there has ever been a liquor license issued to that park can you answer that.

Mr. Ludwig responded not to my recollection. I really wasn't totally involved when Don Law and Jim Jensen and those people did concerts 12 or 15 years ago. I am not sure. I know that the Parks & Recreation Commission can, by virtue of City ordinance, I believe grant some relief but in my opinion it has been done for things like wine and cheese gatherings and things like that, not for what I think would be the sale of alcohol in this regard. To me this goes a little beyond what is consistent with what we have typically granted use of in the past. In other words,

the Historic Association having wine and looking at portraits or something in the park. That is what I think the intent of the relief was.

Chairman Gatsas asked do you know whether the Police Department signed off or agreed to the licensing with liquor or without liquor.

Mr. Ludwig answered I don't know.

Lt. Lussier stated I spoke with the Chief and some of the higher echelon trying to recall if there was ever alcohol allowed in that park and to be honest with you to the best of our knowledge there has never been alcohol allowed in there and it is not something that we would support. We just don't believe that is the right venue for alcohol.

Alderman Guinta asked can you expand on that a little bit as to why you don't think it is an appropriate location.

Lt. Lussier answered I believe there are ordinances against drinking in public parks and we don't think that is something that we should bend the rules for.

Alderman Guinta asked so there haven't been concerts there in the recent past.

Lt. Lussier answered there have been concerts there but I think we were speaking about alcohol being served. Again, to the best of my knowledge alcohol has never been allowed.

Alderman Guinta asked so you have no objection to the concert but you are concerned with the alcohol.

Lt. Lussier answered I am not going to take a stand on the concert. I will tell you about the alcohol.

Alderman Forest stated that was a question I asked. I am concerned about the alcohol.

Alderman O'Neil asked what would be the normal procedure if somebody uses the park they must have to provide insurance. Is there any money they have to put up insuring that we get paid and that kind of stuff?

Mr. Ludwig answered I developed last year kind of a generic checklist for people who apply for the use of Veteran's Park. It is pretty much a work in progress in that we were developing some problems last year with several groups asking for several dates in the park and it was getting to be kind of restrictive. I developed a

template that we give to people when they come to use Veteran's Park. Typically we are speaking, as I say in my letter, more towards walk-a-thons, running events, and small events that draw smaller crowds. The rest of the document speaks to things like not bringing concession stands into the area where the grass could be damaged or cars on the turf and things like that. We work with each group individually. This is the first year that we have actually instituted a small fee for use of the stage and that is \$100. The only other fee that is associated with the park is for putting a person in charge of the comfort station for the length of time that they are there. Otherwise, we try to keep it down to a minimum because our groups basically are non-profits that are coming in with very small budgets.

Alderman O'Neil asked do we require either a bond or a security deposit.

Mr. Ludwig answered right now we get \$100 million general liability insurance policy that names the City as additionally insured.

Alderman O'Neil asked but what about guaranteeing payment for City services.

Mr. Ludwig asked like the cost of the man you mean or something.

Alderman O'Neil replied the man, hiring police, if there is a firefighter required...

Mr. Ludwig interjected what I tried to do with my checklist was to give the people...okay you have tentative approval of the park subject to these other agencies signing off and that pretty much started the process. This went a little bit backwards to me. I had asked the applicant in this case who approached me initially...again as I say in my letter in my opinion this was inconsistent with the way we have used the park over the last 12 or 15 years for these kinds of concerts although we did have them in the past. I thought that it would be better, given everything that is happening in the downtown now, for him to share his idea with the Aldermen. I am still not against it necessarily 100%. The next thing that showed up on my desk was a business license application that I was told I must either deny or approve.

Alderman Guinta asked who told you that.

Mr. Ludwig answered it was the Clerk's Office that said you must deny or approve and I did express to Mr. Morgan during our initial conversation going back a couple of months ago that I had some concerns with the fact that the park was not the same park that it was 15 years ago. If you go there today you will see what I am talking about. You are talking about vegetation and mature trees and plantings that are in my opinion far more restrictive today than they were 12 or 15 years ago when we were doing these concerts. I stood in there again this morning

just to refresh my memory and once you get inside off of Elm Street you are in the confines of the park. The basic viewing area comes from the granite posted and the black wrought iron railed area forward. Anything beyond that, which is still in the park, becomes almost an obstructed view seat I guess you could say. In my opinion the park didn't lend itself to the 4,000 or 5,000 people that were in the park years ago.

Alderman Forest asked, Ron, that stage that would be going to Veteran's Park, is that a portable stage.

Mr. Ludwig answered it is portable in that we put it up seasonally about two weeks ago or three weeks ago.

Alderman Forest replied the reason I am asking is could that stage be put down at Arms Park or would it be difficult to do that.

Mr. Ludwig responded I believe that Arms Park does accept that stage. In fact the stage was actually purchased by Jim Jensen and you are stretching my memory a little bit here, however, it is not portable in the extent that our department would be in a position to put it up, take it down, put it up, take it down, etc. It is a two-day event for one man that I have with a crew of part-timers to put it up now. There is a lot of rigging involved. It is not truly portable. The answer to your question is it can be moved and I think it can be installed at Arms Park.

Alderman Forest stated the comment I have is mainly for Chris. I am not opposed to Peter Frampton and I am not opposed to alcohol at the concert but I would be opposed to having the alcohol at Veteran's Park.

Chairman Gatsas asked, Chris, are you proposing to put a bound fence on Merrimack Street.

Mr. Morgan answered yes. We would put a fence similar to where it was in the past for paid shows and around the perimeter, which would be at my expense.

Chairman Gatsas asked now for you to go and get a liquor license do you have to come back for more approvals.

Mr. Morgan answered I am not 100% confident that I understand the process but I believe it is a State issue. I believe that a separate entity that will hold the liquor license will go and apply for the liquor license. At that point, the State will decide on whether to give them a license or not. In my conversation with Mr. Ludwig he mentioned that all parks are considered equal. They have sold beer at Arms Park. You know Arms Park and Veteran's Park...they are all considered equal so to my

knowledge I don't think there will be too much of a problem with the State granting a liquor license at Veteran's Park.

Deputy Clerk Normand stated typically what happens with the Liquor Commission is they require proof of a license from the city or the municipality where the event is going to take place before they issue a liquor license for a day or something like that. Typically he would be required to show proof of licensure before they issue a liquor license on the State level.

Chairman Gatsas asked did I understand you, Chris, correctly that somebody else is going to apply for the liquor license.

Mr. Morgan answered that is correct. I would not hold the license.

Lt. Lussier stated at the WGIR fireworks there are going to be two beer tents down there and the gentleman that is putting those beer tents down has made application with the State and he has come to us with a sign-off for police, fire, etc. just like our applications have. That process, I would imagine, would be the same for Chris.

Alderman O'Neil asked can you do this without alcohol. Can you make it work without alcohol?

Mr. Morgan answered sure we could but in the best interest of all parties I think from the fan's standpoint, from the promoter's standpoint and from the revenue standpoint with a controlled atmosphere I think having the opportunity to sell beer would be beneficial for all parties.

Alderman O'Neil asked without reading into that, I guess the question would be if you don't get your alcohol or the other person does not get the alcohol permit will this concert go forward.

Mr. Morgan answered this is a process so I think one step at a time. I think initially...I am here today to talk about the concert going forward and then at that point in time we will pursue the...

Alderman O'Neil interjected well it is an issue today. The alcohol is an issue today. For me it is not an issue later, it is an issue today. You are applying for a permit.

Mr. Morgan responded to answer the question I guess on are we pursuing alcohol, yes. Are we going to get that? I don't know at this point. Will we do the concert if we don't get the alcohol? I don't know at this point.

Alderman O'Neil stated because we haven't run across a similar situation that I am aware of and I will stand corrected if I am wrong but would you be willing to put up a bond or security deposit to make sure that City services are paid for.

Mr. Morgan replied sure. As I said to the Clerk's Office I would do whatever it takes to make sure that all departments are happy and satisfied and comfortable with the production of this show.

Alderman O'Neil asked what would be a reasonable security deposit.

Mr. Morgan answered I would look to Ron or whoever is in charge to make that decision. Without throwing a figure out there...whatever is fair. Other venues do this across the nation.

Alderman O'Neil asked \$5,000 or somewhere in there.

Mr. Morgan answered that is a discussion point.

Chairman Gatsas stated let me ask the obvious question. From what I understood you to say, the higher ups would not be in favor of having alcohol at the park, is that correct Lt. Lussier?

Lt. Lussier replied no I said that we couldn't recall...I was saying that the people who have been around for awhile couldn't recall...

Chairman Gatsas interjected I am saying if they came in and applied for a liquor license at the park.

Lt. Lussier stated the Police Department would not support that.

Chairman Gatsas replied so the easiest question is, Chris, would you like this Committee to approve a license without liquor because it doesn't sound like...you are going to be back here again it sounds like because they are going to deny it. Does that process come back here or not?

Deputy Clerk Normand stated really this is the whole package here. The application that was originally made included alcohol sales. It can be amended, certainly.

Chairman Gatsas responded so we have the whole package. The Police signed off with alcohol sales being there?

Deputy Clerk Normand replied no they didn't. Well, that is another discussion but I believe that the Police were uncomfortable with the alcohol as they are today but I think that...I really don't...I think alcohol is an issue tonight to be honest with you.

Lt. Lussier responded it wasn't signed off by proper authority. I signed off on it and I shouldn't have quite frankly. It is not my responsibility.

Alderman Forest asked would the Police sign off if they had the concert at Arms Park with the alcohol.

Lt. Lussier answered I couldn't speak to that.

Alderman O'Neil stated if I may, Mr. Chairman, Arms Parks creates a whole other...because of parking arrangements during the day. We have been down that road before. There are parking leases, etc. and I know they had to work around that when they have held Riverfest there.

Alderman Guinta asked whose decision is it to sign off on alcohol.

Lt. Lussier answered the Chief.

Alderman Guinta asked and when did you sign off on it.

Lt. Lussier answered I signed off when Chris came to me. He was trying to get an answer and I signed off. We didn't have an answer yet as far as alcohol being allowed in the park. That was still up in the air and I signed off on it conditional on that issue.

Alderman Guinta asked, Chris, were you aware that the sign off was conditional.

Mr. Morgan answered well we had it on the permit that alcohol would be served but I think just to back-up what he was saying, he just didn't get the proper authority for the sign-offs.

Alderman Guinta asked are you going to be erecting a fence regardless of whether you receive the permit to serve alcohol.

Mr. Morgan answered asked around the perimeter.

Alderman Guinta replied yes.

Mr. Morgan responded yes we would do that.

Alderman Guinta asked and what type of fencing is that.

Mr. Morgan answered that would be a simple stake and post type mesh fence but obviously before we did anything we would check with Ron to make sure that we are doing the right thing and coordinate that.

Alderman Guinta asked how high would that be.

Mr. Morgan answered my initial guess would be 8', enough where pedestrians on the street wouldn't be able to see in.

Mr. Ludwig stated I just have a comment. I think that given this venue is different...not that I am going to be opposed to it but I think that Alderman O'Neil's idea relative to some kind of bond is a good idea. I really think that maybe some direction should come from the likes of this Committee or whoever as it relates to what should the fee be. In other words, we keep the fee down in the park for the likes of the small groups that use it. \$100 for the use of the stage and also for one person to basically clean the bathrooms and monitor the park. Not that Chris hasn't been willing to pay for whatever it is he needs to pay for but is that the fee that you would want us to consider? Do you want us to move forward as it is for everyone else or would you want us to look at something different? It is just a different venue.

Chairman Gatsas replied I think the person you need to address is...obviously what I am hearing from the Police Department is that once you apply for your liquor license they aren't going to sign-off. I guess to make life easy would you like this Committee to give you the authority to have a concert in that park without liquor?

Mr. Morgan responded I think those two issues are separate. I think the first thing is whether or not the concert can be held there. I will pursue the alcohol thing at a later stage. I don't want to sit here today and tell you that I am going to accept a concert without the alcohol. I think it is a State issue. If it is down at Arms Park it should be done at Veteran's Park.

Chairman Gatsas replied then I am going to make it a little easier for you. I am going to tell you that the issue is going to be here anyway because if they don't sign off on it at the State level you are going to have to come back to this Committee. So, why don't we address it now in its entirety instead of waiting three weeks and having to go through this again. I think obviously the conditional approval that you had in the beginning was just an accommodation to move the

process forward. I think we have heard that it was done in haste and that is okay so let's go by that.

Alderman O'Neil stated I just want to go back to making sure that City services get paid for. I threw out a number of \$5,000 for a security deposit. I am just trying to come up with...there is going to be some expense for Parks & Recreation for a man that night to be there. Clean up the next day?

Mr. Ludwig responded yes.

Alderman O'Neil stated so there are some costs there. The Police will require a detail. I don't know Lieutenant if you have gotten that far yet.

Lt. Lussier replied I haven't given any thought to the detail but I will tell you that there will be more police officers if alcohol is served. I would imagine that the police coverage is going to be higher than Parks & Recreation.

Alderman O'Neil stated occasionally with some of these large events we require them to hire firefighters as well for emergency medical services. I just want to make sure the City gets paid. That would be my intent with the security deposit is to make sure that our services are paid for, whatever that number is. It could be \$4,000 or it could be \$8,000.

Alderman Guinta asked can anyone give us some guidance as to what type of security deposit has been required in the past for this size venue. I don't know if anyone here...Alderman O'Neil talked about insuring that City services get paid and I think it is an interesting and a good idea. I am wondering if anyone can answer for this size venue if we have done that in the past and what the neighborhood of dollars we are talking is.

Deputy Clerk Normand replied I know for Cirrus Entertainment last year the Godsmack concert was pretty much paid in full before the event went on. That included sound monitoring with the company that we hired out of Cambridge, MA. Those funds are paid up front.

Alderman Guinta asked what about City services like Fire and Police.

Deputy Clerk Normand answered to my recollection that was paid up front and I know that we do that quite often with just your average business that has an event. Down at 500 Commercial Street, Peter Telge has done that in the past and it is because of that establishment where we had problems and money that we were never paid that we started to collect up front.

Alderman Guinta asked are those payment date requirements in the business application.

Deputy Clerk Normand answered no. The business license application or business license regulations allow for any stipulations or conditions of a business license to be added by any of the departments, which would include paying for services up front if you wanted.

Alderman Guinta moved to grant the permit for the concert with the stipulation that City services be paid for up front and we exclude the alcohol portion of the license. Alderman Osborne duly seconded the motion.

Alderman O'Neil stated just for clarification, the City services are Parks & Recreation, Police, we have required concerts to hire Fire personnel, one or two for emergency medical services. I don't believe there will be a need for anyone from Health at this event. Then the City Clerk I think needs to do sound monitoring so we don't end up with a problem or at least to see where we are at with regards to that park. Does that concur with what you are talking about, Alderman?

Alderman Guinta replied yes.

Mr. Ludwig asked are you setting any limit on the amount of tickets he can sell.

Chairman Gatsas asked what does the park hold, Ron.

Mr. Ludwig answered that is part of the reason we are here to some degree. I am saying you really shouldn't exceed...I think we talked about 2,000 but maybe we could go to 2,500. I am not trying to be restrictive to the extent where we are not letting the gentleman do business but 5,000 to me is pushing the envelope.

Alderman O'Neil asked, Chris, do you have a number.

Mr. Morgan answered I would be comfortable with 4,000. Like I said I don't think this concert will be more than 2,000 to 3,000. If it does 4,000 that will be a pretty good night but I would be comfortable with 4,000.

Alderman Osborne asked how many people were there at the Kenny Rogers concert.

Mr. Ludwig answered I am sure it was 5,000. I wasn't there but I would say it was 5,000.

Alderman Osborne asked what do you feel comfortable with.

Mr. Ludwig answered again, the reason that I bring this to your attention is that my number one concern is putting more than 2,500 people in that park. It is going to be detrimental to that park. I am not sure if a bond is even going to cover the potential damage that it could do. I have a follow-up question that I wasn't able to ask Chris because our discussions never got this far. I would ask is the stage appropriate for Mr. Frampton's use? In other words, does there have to be adjustments made for lighting, etc.? That was an issue 15 years ago when we did it. Some groups, not all, and maybe Peter Frampton isn't one of those but they required additional lighting and our staging couldn't accept it. There were New Jersey barriers brought in cabling off to the lights around the fountain. It caused some damage. It doesn't have to happen again but maybe we can work around it. I would just like to know that.

Mr. Morgan replied the stage is fine for the show. If there is anything that needs to be done to the stage it would be additional area and that is it. As far as sound and hanging lights, we would just pretty much put sound speakers on the stage and that kind of thing.

Alderman Osborne asked how much damage could be done if it was a total disaster. If they pulled the flowers up, etc.?

Mr. Ludwig answered it is not as much a money issue. When you discuss things like trees and things like that, you really can't put back an 8" tree with half the branches broken off it because someone couldn't see and they were upset. Not that it is going to happen and if there are plenty of police maybe it won't but I just want to bring to your attention that some things are not replaceable with dollars.

Alderman Osborne asked is that covered under the liability.

Lt. Lussier stated I can't speak to the capacity of the park but I will tell you that if you get more people in there than can actually see the concert and they are standing behind trees and everything else, we are going to start having problems because they are going to be upset and they are going to start getting upset because they paid all of this money and now they are standing behind a tree. When you go beyond the capacity for people to view that concert in an enjoyable fashion, I think that is when we are going to start seeing a lot of problems.

Mr. Morgan stated as a promoter we would obviously be the ultimate responsible party for that and we certainly don't want to put anybody in a position where they couldn't see. Any ticket that is sold is clear view so we wouldn't want to be in that position.

Alderman Osborne stated so we have to come up with a number.

Chairman Gatsas stated let me ask Alderman Guinta to withdraw his motion and the second so we can get a clean motion on the floor.

Alderman Guinta withdrew his motion.

Alderman Osborne withdrew his second.

Alderman Guinta moved to grant the permit for a concert at Veteran's Park and that City services, which include Parks & Recreation, Fire, Police and sound monitoring, be paid for up front, that the alcohol service be excluded and the patron number not exceed 4,000. Alderman O'Neil duly seconded the motion.

Alderman O'Neil asked that does include \$100 million liability policy. Is that what you said?

Mr. Morgan answered yes that is standard.

Alderman Osborne asked do you feel comfortable with 4,000, Ron.

Mr. Ludwig answered I think that pushes the envelope definitely but we will try.

Alderman Forest asked is it \$1 million or \$100 million.

Deputy Clerk Normand answered it is \$1 million.

Chairman Gatsas called for a vote on the motion. There being none opposed, the motion carried.

Chairman Gatsas addressed Item 4 of the agenda:

Discussion of proposed "Noise Ordinance" submitted at the Committee's request.

Chairman Gatsas stated I think after reviewing this that the next place it must go is Bills on Second Reading.

Deputy Clerk Normand replied that is correct.

Chairman Gatsas stated we can expedite it but I would rather get some input beforehand. I know that Mr. Sawyer did a lot of work on this and I noticed that

Mr. Molloy is out in the audience. He is our sound technician whenever we need one here. If we could get a group...Alderman O'Neil said that Mr. Jensen who runs concerts out of town and get the City Clerk, Matt Normand, maybe the four of you can sit down. I know that Mr. Molloy has not had an opportunity to look at the ordinance.

Mr. Sawyer stated I wrote a memo to all of you.

Chairman Gatsas replied let me just see if we can get this passed and get it to the next Committee. Mr. Molloy, if we can ask you to maybe work with the City Clerk's Office and Mr. Sawyer and Mr. Jensen to take a look at this and see if we are missing anything and get it to Bills on Second Reading because we are going to be in the concert season before we know it and we are not going to have a noise ordinance and we are going to have problems again. Let's see if we can move this forward. We will even let the Police Department get involved in the committee.

Mr. Sawyer stated the police spoke to me earlier and I think they were concerned that the ordinance removed a discretion from them and I wanted to point out to the Committee that when I wrote this ordinance or wrote this technical stuff it was codified. I approached it as a public health issue. Several communities have done both. They have approached noise as a public health issue and as a nuisance issue so that the police department would have discretion over incidental incidents that occur one time or sporadically. I think that we have the ability to address their concerns that we remove the discretion. That was not my intent. My intent was to present it as a public health issue with hard and fast science numbers that can be used for community planning and for public health issues to regulate noise across the City.

Lt. Lussier stated I just wanted to comment. I took a look at this today for the first time.

Chairman Gatsas replied what I am suggesting is that it is here and if we can get police, Mr. Molloy, Mr. Sawyer and the City Clerk's Office and I don't know if Fire or anyone else wants to sit in or the Health Department...

Alderman O'Neil interjected Tim Soucy just volunteered.

Chairman Gatsas stated okay so why don't you sit down in the next week and take a look at it and make whatever changes need to be made so we can move it on to Bills on Second Reading and whatever input you have there will certainly come back to the full Board. We are not passing this tonight as a measure to go to the full Board. We are just passing it here to send it on to Bills on Second Reading

because it still needs a public hearing. We will take whatever input at that point to correct the problems if there are any.

Lt. Lussier asked prior to it going to Bills on Second Reading.

Chairman Gatsas answered right.

Alderman O'Neil asked is Lt. Lussier volunteering for that committee as well.

Lt. Lussier answered yes.

Mr. Sawyer stated also as a point of information this has been around for awhile. I did show the health officer of the City a draft of it one evening and he read it through and he thought that this was a move in the right direction for the City.

Chairman Gatsas asked, Mr. Dillon, do you have a problem with the noise ordinance. I can't see anything else on the agenda that you might be here for.

Mr. Dillon answered my main concern is related to aircraft noise.

Chairman Gatsas stated we will allow you to sit on that committee. You can provide whatever input you would like.

Mr. Dillon stated very simply I just want to make sure that aircraft activity in flight as well as on the ground is protected.

Mr. Sawyer replied I think we have a little disagreement over on the ground and what that means. I want to cover on the ground in a maintenance facility covering engine run up and things like that to keep decibels away from residences. On a taxiway or whatever, that is fine.

Mr. Dillon responded I think I would like to be on the committee.

Alderman O'Neil moved to have the City Clerk, Police, Solicitor, Airport, Health, and Eric Sawyer meet to work on the noise ordinance so that it can be referred to the Committee on Bills on Second Reading.

There being no further business, on motion of Alderman O'Neil, duly seconded by Alderman Guinta, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee